

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank



Order Filed on February 11, 2020

by Clerk

U.S. Bankruptcy Court

District of New Jersey

In Re:

Gerald Brown, Terri L. Brown,

Debtors.

Case No.: 19-17008 MBK

Adv. No.:

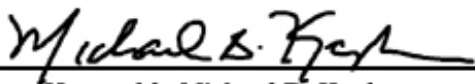
Hearing Date: 2/4/2020 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED  
CREDITOR'S CERTIFICATION OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: February 11, 2020**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**(Page 2)**

Debtors: Gerald Brown, Terri L. Brown

Case No: 19-17008 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED CREDITOR'S CERTIFICATION OF DEFAULT

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank., Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 5 Dolphin Lane, Trenton, NJ, 08619, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and John Zimnis, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 30, 2020 Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due November 2019 through January 2020 for a total post-petition default of \$8,963.67 (2 @ \$2,987.51, 1 @ \$2,988.65); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$8,963.67 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2020, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtor's Chapter 13 plan and Certification of Default is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court  
District of New Jersey

In re:  
Gerald Brown  
Terri L Brown  
Debtors

Case No. 19-17008-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 13, 2020.

db/jdb +Gerald Brown, Terri L Brown, 5 Dolphin Lane, Hamilton, NJ 08619-1307

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 13, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 11, 2020 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
John Zimnis on behalf of Joint Debtor Terri L Brown njbankruptcylaw@aol.com.  
John Zimnis on behalf of Debtor Gerald Brown njbankruptcylaw@aol.com.  
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM  
Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
Kevin Gordon McDonald on behalf of Creditor M&T BANK kmcdonald@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9